

# COVINGTON

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**Via ECF**

December 5, 2022

Hon. Ronnie Abrams  
United States District Judge  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Room 2203  
New York, NY 10007

**Re: Lafarge Canada Inc., et al., v. American Home Assurance  
Co., et al., No. 15-cv-8957**

Dear Judge Abrams:

This firm represents plaintiffs Lafarge Canada Inc. and Lafarge North America Inc. (together, “Lafarge”) in the above-referenced action, which has been stayed pursuant to the Court’s Opinion & Order dated March 31, 2018 (Dkt. No. 110). We submit this joint letter on behalf of all parties to report on the status of certain Canadian proceedings related to this action and to request that the Court adjourn the status conference scheduled for Friday, December 9 to a date in June 2023.

The parties previously have provided updates to the Court regarding several litigation matters in Canada giving rise to this coverage litigation. The principal action still pending against Lafarge among these proceedings is the “Wave 1 Warranty” Proceeding, a third-party action brought by SNC-Lavalin against Lafarge and its co-defendant, a former Lafarge employee, Marie de Grosbois. Last year the trial court rendered a judgment in that action holding that Lafarge and de Grosbois had no liability for the underlying “Wave 1” claims. SNC-Lavalin appealed, and the Quebec Court of Appeal held argument on that appeal last month. A decision is not anticipated for several months.

The other underlying proceedings still pending against Lafarge have not progressed pending the appeal as against Lafarge. Thus, Lafarge’s ultimate liability, if any, in the Canadian litigation remains indeterminate. Accordingly, and in the interest of judicial economy, the parties request that the December 9 status conference be adjourned for approximately six months.

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As has been the case with previous adjournments, the parties propose that they be permitted to apply for a lift of the Court's stay in this action before the proposed status conference should there be a development justifying such relief.

Respectfully submitted,

*/s/ Bert Wells*

Bert Wells

cc: All counsel of record (by ECF)

Application granted. The status conference scheduled for December 9, 2022 is adjourned to June 9, 2023 at 11:00 a.m. The parties shall file a joint status letter no later than June 2, 2023.

SO ORDERED.



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Hon. Ronnie Abrams  
12/6/2022